

BIRCH, STEWART, KOLASCH & BIRCH, LLP

INTELLECTUAL PROPERTY LAW
8110 GATEHOUSE ROAD
SUITE 500 EAST
FALLS CHURCH, VA 22042-1210
U S A
(703) 205-8000

FAX: (703) 205-8050
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com
web: <http://www.bskb.com>

CALIFORNIA OFFICE:
COSTA MESA, CALIFORNIA

JAMES T. ELLER, JR.
SCOTT L. LOWE
D. RICHARD ANDERSON
PAUL C. LEWIS
MARK W. MILSTEAD*
RICHARD J. GALLAGHER
JAYNE M. SAYDAH*
MARYANNE ARMSTRONG, PH.D.
KECIA J. REYNOLDS
ROBERT L. SCOTT, II
KALPANA REDDY
LARRY J. HUME

REG. PATENT AGENTS:
FREDERICK R. HANDREN
MAKI HATSUMI
CRAIG A. MCROBBIE
GARTH M. DAHLEN, PH.D.
ROBERT E. GOOZNER, PH.D.
MATTHEW J. LATTIG
TIMOTHY R. WYCKOFF
KRISTIL L. RUPERT, PH.D.
FRAYR A. SAYADIAN, PH.D.
MATTHEW T. SHANLEY
JASON W. RHODES
CHRISTINA F. ANNICK
SUSAN W. GORMAN, PH.D.
DAVID J. CHO

TERRELL C. BIRCH
RAYMOND C. STEWART
JOSEPH A. KOLASCH
JAMES M. SLATTERY
BERNARD L. SWEENEY*
MICHAEL K. MUTTER
CHARLES GORENSTEIN
GERALD M. MURPHY, JR.
LEONARD R. SVENSSON
TERRY L. CLARK
ANDREW D. MEIKLE
MARC S. WEINER
JOE MCKINNEY MUNCY
ROBERT J. KENNEY
DONALD J. DALEY
JOHN W. BAILEY
JOHN A. CASTELLANO
GARY D. YACURA
THOMAS S. AUCHTERLONIE
MARK J. NUEL, PH.D.

OF COUNSEL:
HERBERT M. BIRCH (1905-1996)
ELLIOT A. GOLDBERG*
WILLIAM L. GATES*
EDWARD H. VALANCE
RUPERT J. BRADY (RET.)*
F. PRINCE BUTLER
FRED S. WHISENHUNT
JAMES W. HELLWEGE

*ADMITTED TO A BAR OTHER THAN VA.

Date: June 15, 2001

Docket No.: 2059-0106P

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a Request for filing a ☒ continuation ☐ divisional
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 09/277,602 filed on March 29, 1999,
the entire contents of which are hereby incorporated by
reference,
by

Harold G. BROWN and Karen K. BROWN

for

A PHARMACEUTICAL COMPOSITION OF COMPLEX CARBOHYDRATES AND
ESSENTIAL OILS AND METHODS OF USING THE SAME

1. ☒ Enclosed is an application consisting of specification,
claims, declaration and drawings/photographs (if
applicable).
2. ☒ The filing fee has been calculated as follows:

			LARGE ENTITY	SMALL ENTITY
	BASIC FEE		\$710.00	\$355.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	26-20 =	6	x 18 = \$0.00	x 9 = \$54.00
INDEPENDENT CLAIMS	3-3 =	0	x 80 = \$0.00	x 40 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$270.00	+ \$135.00
TOTAL			\$0.00	\$409.00

3. ☒ A check in the amount of \$409.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:

Sub
a. ☒ ~~This application is a ☒ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 09/277,602, filed on March 29, 1999, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120.--~~

b. ☐ --This application is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 09/277,602, filed on March 29, 1999 and for which priority is claimed under 35 U.S.C. § 120. Application No. 09/277,602 is the national phase of PCT International Application No. PCT/_____/____ filed on _____ under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. _____ filed in _____ on _____ under 35 U.S.C. § 119.--

6. ☐ Enclosed is/are _____ (____) sheet(s) of formal drawings and/or photographs.

- 7a. ☒ A statement claiming small entity status was filed in prior Application No. 09/277,602 on March 29, 1999. See the attached copy of the statement claiming small entity status.
- 7b. ☒ The current application qualifies for small entity status.
8. ☒ The prior application is assigned to Dermal Research Laboratories, Inc.
9. ☒ A Preliminary Amendment is enclosed.
- 10a. ☐ Priority of Application No(s). _____ filed in _____ on _____ is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on _____.
- 10b. ☐ Priority of International Appln. _____ filed on _____ under the Patent Cooperation Treaty and _____ Application No. _____ filed in _____ on _____ under 35 U.S.C. § 119 are hereby reclaimed.
11. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12. ☒ Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
Telephone: (703) 205-8000

or
Customer No. 2292
13. ☒ An extension of time for two (2) month(s) until June 15, 2001 has been submitted in parent Application No. 09/277,602 in order to establish co-pendency with the present application.
14. ☐ Also enclosed herewith is the following:


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

Docket No. 2059-0106P

overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Marc S. Weiner, #32,181

MSW/sh
2059-0106P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachments

(Rev. 01/23/01)

IN THE U.S. PATENT AND TRADEMARK OFFICE

I N F O R M A T I O N S H E E T

Applicant: Harold G. BROWN and Karen K. BROWN
Appl. No.: New (Rule 53(b) Div. of 09/277,602)
Filed: June 15, 2001
For: A PHARMACEUTICAL COMPOSITION OF COMPLEX
CARBOHYDRATES AND ESSENTIAL OILS AND
METHODS OF USING THE SAME

Priority Claimed Under 35 U.S.C. § 119 and/or § 120:

U.S.S.N.	08/241,692	filed May 12, 1994
U.S.S.N.	09/277,602	filed March 29, 1999

Send Correspondence to:


BIRCH, STEWART, KOLASCH & BIRCH, LLP or **CUSTOMER NO. 2292**
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

The above information is submitted to advise the U.S.P.T.O.
of all relevant facts in connection with the present application.

A timely executed Declaration in accordance with 37 C.F.R.
§ 1.64 will follow.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Marc S. Weiner, #32,181

MSW/jeb
2059-0106P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000